

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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BIOSAFE-ONE, INC d/b/a

WWW.BIOSAFEONE.COM

and CHRISTOPHER JORGENSEN,

Case No. 07 cv 6764 (DC) (DFE)

Plaintiffs

-against-

**NOTICE OF MOTION
FOR SANCTIONS**

**ROBERT HAWKS; BRAD SKIERKOWSKI;
NEWTECHBIO, USA a/k/a BRAD & COMPANY,
INC. d/b/a WWW.NEWTECHBIO.COM; and
WWW.JUMBO MORTGAGES101.COM
A/k/a JUMBOMORTGAGES.NET; and
BCI FUNDING GROUP**

Defendants

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PLEASE TAKE NOTICE that upon the accompanying Local Civil Rule 56.1 Statement and Exhibits annexed thereto, the Declaration of **Vivian M Williams, Esq.** and Memorandum of Points and Authorities, the undersigned attorney for Plaintiffs will move this Court on a date and time to be determined by the Court, for an Order granting sanctions against the Defendants pursuant to Rule 37 of the Federal Rules of Civil Procedure, striking Defendants counter-claims and defenses, directing that Defendants pay to Plaintiffs reasonable expenses, including attorney's fees, to compel disclosure and production, prohibiting the Defendants from supporting or opposing designated claims related to or affected by Defendants failure to comply with discovery requests or in the alternative staying further proceedings until the Defendants comply fully with disclosure .

Plaintiffs are entitled to the relief requested under Rule 37 because Defendants have failed to comply with various discovery requests and, have been evasive and non-responsive to discovery requests, and have willfully misrepresented facts and circumstances in this matter in blatant disregard for the rules and sanctity of the court and Plaintiffs due process rights afforded by the discovery process.

PLEASE TAKE FURTHER NOTICE that opposing papers and affidavits, if any, are to be served on or before 12/12/2008 in accordance with the brief schedule ordered by the court.

Dated: New York, New York
11/14/2008

VIVIAN M. WILLIAMS & ASSOCIATES, PC.

By. 

Vivian M. Williams, Esq. (vw1268)

Attorneys for Plaintiffs

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